

MONDAY, FEBRUARY 24, 2003

TENTH LEGISLATIVE DAY

CALL TO ORDER

The Senate met at 5:00 p.m., and was called to order by Mr. Speaker Wilder.

PRAYER

The proceedings were opened with prayer by Chad Balentine of White's Creek Freewill Baptist Church in Savannah, Tennessee, a guest of Mr. Speaker Wilder.

PLEDGE OF ALLEGIANCE

Senator Clabough led the Senate in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results:

Present 31

Senators present were: Beavers, Bryson, Burchett, Burks, Clabough, Cohen, Cooper, Crowe, Crutchfield, Dixon, Ford, Fowler, Graves, Harper, Haynes, Henry, Herron, Ketron, Kurita, Kyle, McLeary, McNally, Miller, Norris, Person, Ramsey, Southerland, Trail, Walker, Williams and Mr. Speaker Wilder--31.

COMMUNICATIONS

February 18, 2003

The Honorable John S. Wilder
Lieutenant Governor
State of Tennessee
1 Legislative Plaza
Nashville, TN 37243-0226

Dear John:

I would greatly appreciate your approval for my absence from the Senate Chamber and sessions on Monday, February 24, Wednesday, February 26, and Thursday, February 27, 2003, because my wife Sue is having major surgery in Knoxville the week of February 24-27.

Thank you for your consideration of this urgent request.

Sincerely,
/s/ Ben Atchley

APPROVED: Lieutenant Governor
John S. Wilder

February 25, 2003

Lt. Gov. John Wilder
Fax #741-4990

Please excuse me from session yesterday, February 24, 2003 at 5:00 p.m. I was detained in traffic and was not able to attend.

Sincerely,

/s/ Doug Jackson
Senator

APPROVED: Lieutenant Governor
John S. Wilder

INTRODUCTION OF BILLS

The Speaker announced that the following bills were filed for introduction and passed first consideration:

Senate Bill No. 1734 by Senator Burchett.

Education -- Lowers mandatory age requirement for attending school from 17 years of age to 16 years of age. Amends TCA Title 49, Chapter 6.

Senate Bill No. 1735 by Senator Burchett.

Public Records -- Provides citizen 14 days to inspect requested public records from date such records are available. Amends TCA Title 10, Chapter 7, Part 5.

Senate Bill No. 1736 by Senator Burks.

Housing -- Excludes redevelopment projects and redevelopment plans from prohibition on housing authority taking private property in urban renewal area by eminent domain for purposes of resale; increases number of housing authority commissioners in Putnam County to seven. Amends TCA Title 13, Chapter 20.

Senate Bill No. 1737 by Senator Dixon.

TennCare -- Requires bureau of TennCare to establish statewide uniform drug formulary and requires certain protections for enrollees. Amends TCA Title 4; Title 8; Title 12; Title 41; Title 53; Title 56; Title 63; Title 68 and Title 71.

Senate Bill No. 1738 by Senator Cohen.

Criminal Procedure -- Requires retention of certain biological material for DNA testing; establishes procedure for destruction of material; authorizes Department of Correction to impose sanctions for false tests. Amends TCA Title 40.

Senate Bill No. 1739 by Senator Cooper.

Massage -- Authorizes board of massage therapists to not issue massage therapy licenses if certain criteria are not met; deletes felony conviction as ground for not issuing license as massage therapist. Amends TCA Title 63, Chapter 18.

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Senate Bill No. 1740 by Senator Cooper.

Game and Fish Laws -- Authorizes use of snare traps in Bledsoe County. Amends TCA Section 70-4-120.

Senate Bill No. 1741 by Senator Cooper.

Criminal Offenses -- Requires all parties to communication to consent before one party can intercept wire, oral, or electronic communication or record cell or cordless telephone conversation; applies only to parties not acting under color of law. Amends TCA Title 39, Chapter 13, Part 6.

Senate Bill No. 1742 by Senator Crutchfield.

Private Investigators -- Exempts from licensing and regulation requirements as private investigator, agent of attorney performing duties relating to attorney's practice of law who is acting within scope of agency for attorney and at attorney's direction. Amends TCA Title 62, Chapter 26, Part 2.

Senate Bill No. 1743 by Senator Atchley.

Taxes, Exemption -- Allows certain real estate depreciation to be excluded from net income under Excise Tax Law of 1999. Amends TCA Section 67-4-2006.

Senate Bill No. 1744 by Senator Atchley.

Juvenile Offenders -- Strengthens procedures for notifying school principals of enrollment of students who have been convicted of serious criminal offenses. Amends TCA Title 37, Chapter 1, Part 1 and Title 49, Chapter 6, Part 30.

Senate Bill No. 1745 by Senator Atchley.

Education -- Clarifies that either geographic or subject areas may be focus of charter school. Amends TCA Title 49, Chapter 13.

Senate Bill No. 1746 by Senator Atchley.

Taxes, Excise -- Changes minimum payment of quarterly franchise and excise tax installments from lesser of 25 percent of prior year's liability or 25 percent of 80 percent of current year's liability to lesser of 25 percent of tax shown on prior year's return or 25 percent of 100 percent of current year's liability and deletes obsolete provisions. Amends TCA Title 67, Chapter 4, Part 20.

Senate Bill No. 1747 by Senator Cooper.

Psychologists -- Authorizes qualified psychologists to prescribe medications, including controlled substances. Amends TCA Title 39; Title 53; Title 63 and Title 68.

Senate Bill No. 1748 by Senator Cooper.

Taxes, Excise -- Repeals franchise and excise tax credit for hospital companies filing return on combined basis. Amends TCA Title 67.

Senate Bill No. 1749 by Senator Cooper.

Highways, Roads and Bridges -- Authorizes Department of Transportation to utilize design-build approach on highway projects over \$100,000,000 in manner consistent with applicable federal regulations. Amends TCA Title 54.

Senate Bill No. 1750 by Senator Cooper.

Judicial Officers -- Requires presiding general sessions criminal judge of any county which appoints judicial commissioners to establish qualifications and training necessary for person to be appointed as judicial commissioner. Amends TCA Section 40-1-111.

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Senate Bill No. 1751 by Senator Cooper.

Insurance Companies, Agents, Brokers, Policies -- Provides licensing by Department of Commerce and Insurance of insurance adjusters. Amends TCA Title 56, Chapter 6.

Senate Bill No. 1752 by Senator Harper.

Insurance, Health, Accident -- Requires Commissioner of Insurance to develop assigned risk pool for persons refused health insurance in commercial market; pre-existing medical condition not grounds for denial of coverage under such plan. Amends TCA Title 56, Chapter 7.

Senate Bill No. 1753 by Senator Clabough.

Revenue, Dept. of -- Extends certain authority to the Commissioner of Revenue for the purpose of contracting for the collection of unpaid taxes and related amounts. Amends TCA Section 67-1-1445.

Senate Bill No. 1754 by Mr. Speaker Wilder.

Probate Law -- Deletes provision that Hardin County clerk is clerk responsible for probate and administration of estate matters rather than clerk and master and directs county clerk to transfer all probate related files to clerk and master by August 1, 2003. Amends TCA Section 16-16-201.

Senate Bill No. 1755 by Mr. Speaker Wilder.

Game and Fish Laws -- Places within Department of Agriculture exclusive legal authority to re-stock Tennessee rivers and waterways with paddlefish; removes any such authority from Tennessee Wildlife Resources Agency. Amends TCA Title 4, Chapter 3, Part 2; Title 43 and Title 70.

Senate Bill No. 1756 by Senator McNally.

Students -- Holds as grounds for student suspension possession of firearm in close proximity to school property or school activity if such possession causes disruption. Amends TCA Section 49-6-3401.

Senate Bill No. 1757 by Senator McNally.

Driver Licenses -- Provides for administrative revocation of person's driver license for specified period upon Department of Safety's determination that person was driving under influence of intoxicant or refused alcohol test; provides for administrative review and hearing. Amends TCA Title 55, Chapter 50.

Senate Bill No. 1758 by Senator McNally.

Civil Procedure -- Allows judge or jury to consider furnishment of alcoholic beverage or beer to person under age 21 or visibly intoxicated person as proximate cause in civil action for personal injury or death involving intoxicated person. Amends TCA Title 57, Chapter 10.

Senate Bill No. 1759 by Senator McNally.

Alcoholic Beverages -- Requires retailers to place identification tag on kegs containing beer; requires purchaser of keg containing beer to sign receipt; requires Department of Revenue to prescribe and supply forms for keg identification. Amends TCA Title 57, Chapter 5, Part 1.

Senate Bill No. 1760 by Senator McNally.

Insurance Companies, Agents, Brokers, Policies -- Creates right for disability policyholder to obtain damages for bad faith where insurer purposefully declines or avoids claim with reasonable basis for doing so. Amends TCA Title 47, Chapter 18 and Title 56, Chapter 7, Part 1.

Senate Bill No. 1761 by Senator Jackson.

Solid Waste Disposal -- Revises 1990 population figures of counties which may impose same penalty and interest as delinquent property taxes to delinquent solid waste disposal fee to narrow population bracket applying to McNairy County to exclude Hickman County which grew into population bracket in 2000 census. Amends TCA Section 68-211-835.

Senate Bill No. 1762 by Senator Jackson.

Local Education Agency -- Makes local school board members eligible for same insurance benefits as local teachers. Amends TCA Title 8, Chapter 27, Part 3; Title 8, Chapter 27, Part 4 and Title 8, Chapter 27, Part 5.

Senate Bill No. 1763 by Senator Jackson.

Utilities, Utility Districts -- Clarifies that utility districts are subject to open meetings law. Amends TCA Title 7, Chapter 82.

Senate Bill No. 1764 by Senator Jackson.

Election Laws -- Sets salary of certified administrator of election at 90 percent of salary of county assessor of property, instead of 80 percent, in counties of fourth, fifth, sixth and seventh class, if county election commission office is open five full days week. Amends TCA Section 2-2-108 and Section 2-12-208.

Senate Bill No. 1765 by Senator Jackson.

Motor Vehicles -- Permits use of continuously flashing light systems on motorcycles; defines "continuously flashing light system" as system in which brake lamp pulses rapidly for 1-2 seconds when brake is applied, then converts to continuous light like normal brake lamp. Amends TCA Title 55, Chapter 9.

Senate Bill No. 1766 by Senator Burchett.

Process, Service of -- Creates "Private Process Servers Regulatory Act". Amends TCA Title 8, Chapter 8, Part 1; Title 16, Chapter 15, Part 9; Title 39, Chapter 16, Part 6 and Title 62.

Senate Bill No. 1767 by Senator Burchett.

Courts -- Allows counties to create position of domestic relations magistrate. Amends TCA Title 36.

Senate Bill No. 1768 by Senator Burchett.

Financial Responsibility Law -- Increases penalty for failure to provide evidence of financial responsibility from fine not to exceed \$100 to fine not to exceed \$200. Amends TCA Title 55, Chapter 12.

Senate Bill No. 1769 by Senator Burchett.

Utilities, Utility Districts -- Extends powers of utility district to include entering into other reciprocal legally binding agreements. Amends TCA Title 7, Chapter 82, Part 1 and Title 7, Chapter 82, Part 3.

Senate Bill No. 1770 by Senator Burchett.

Utilities, Utility Districts -- Extends powers of utility district to include entering into other reciprocal legally binding agreements. Amends TCA Title 7, Chapter 82, Part 1 and Title 7, Chapter 82, Part 3.

Senate Bill No. 1771 by Senator Burchett.

Criminal Offenses -- Clarifies meaning of property to include farms and woodlands in defining aggravated criminal trespass. Amends TCA Section 39-14-406.

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Senate Bill No. 1772 by Senator Ketron.

Lottery -- Authorizes Columbia Breakfast Rotary Club of Maury County to conduct "Ducks on the Duck" annual event pursuant to Article XI, Section 5 of Constitution of Tennessee.

Senate Bill No. 1773 by Senator Ketron.

Pensions and Retirement Benefits -- Makes entity administering program under federal Workforce Investment Act of 1998 eligible for participation in Tennessee Consolidated Retirement System. Amends TCA Title 8, Chapter 35, Part 2.

Senate Bill No. 1774 by Senator Fowler.

Election Laws -- Establishes procedure for candidates for local public office to post statement concerning candidacy on election page of secretary of state's Web site and Web sites of certain county election commissions; requires state election commission to make certain determinations concerning candidate's statement. Amends TCA Title 2.

Senate Bill No. 1775 by Senator Fowler.

Growth and Development -- Authorizes member of joint economic and community development board to designate alternate attendee. Amends TCA Section 6-58-114.

Senate Bill No. 1776 by Senator Fowler.

Bankruptcy -- Exempts any federal program benefits from execution, seizure or attachment. Amends TCA Title 26, Chapter 2, Part 1.

Senate Bill No. 1777 by Senator Fowler.

Annexation -- Establishes priority of municipality to provide certain services in annexed area. Amends TCA Section 5-6-120.

Senate Bill No. 1778 by Senator Fowler.

Taxes, Sales -- Exempts from sales and use tax services for out-sourcing of data processing, protection of data from natural disaster or terrorism, and Internet web design and hosting services. Amends TCA Title 67, Chapter 6.

Senate Bill No. 1779 by Senator Crutchfield.

Military -- Extends provision that state employees called to active military duty will receive full state pay from 15 days per year to full duration of such active duty. Amends TCA Title 8, Chapter 33.

Senate Bill No. 1780 by Senator Ketron.

Child Custody and Support -- Directs court to use informed discretion in granting visitation rights to non-custodial parents. Amends TCA Title 36.

Senate Bill No. 1781 by Senator Ketron.

Driver Licenses -- Prohibits acceptance of matricula consular cards for identification purposes. Amends TCA Section 55-50-321.

Senate Bill No. 1782 by Senator Haynes.

Election Laws -- Provides procedure for casting and counting provisional ballots; redefines "evidence of identification". Amends TCA Title 2, Chapter 5; Title 2, Chapter 6 and Title 2, Chapter 7.

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Senate Bill No. 1783 by Senator Haynes.

Child Custody and Support -- Establishes certain policies and procedures pertaining to grandparent visitation and sibling visitation. Amends TCA Title 36, Chapter 6, Part 3 and Title 37, Chapter 1, Part 1.

Senate Bill No. 1784 by Senator Trail.

Motor Vehicles -- Authorizes producers of motor vehicles to lease vehicles without motor vehicle sales license to employees for at least 24-month rather than 12-month lease; requires motor vehicles leased to employees by motor vehicle producers to be purchased from Tennessee dealers. Amends TCA Section 55-17-123.

Senate Bill No. 1785 by Senator Trail.

Lottery -- Authorizes 501(c)(3) organization in 16th senatorial district to conduct annual event in calendar year 2003 for purpose of raising money for benefit of such organization pursuant to Article XI, Section 5 of Constitution of Tennessee.

Senate Bill No. 1786 by Senator Trail.

Lottery -- Authorizes 501(c)(3) organization to conduct annual event in calendar year 2003 for purpose of raising money for benefit of such organization pursuant to Article XI, Section 5 of Constitution of Tennessee.

Senate Bill No. 1787 by Senator Trail.

Taxes, Privilege -- Expands local government authorization to pay occupational privilege tax on behalf of their employees to include all local governments. Amends TCA Title 67, Chapter 4, Part 17.

Senate Bill No. 1788 by Senator Trail.

Public Health -- Requires schools to serve foods that meet certain nutritional standards; prohibits sales of non-nutritious foods to students during school hours. Amends TCA Title 49, Chapter 6, Part 23.

Senate Bill No. 1789 by Senator Southerland.

Highway Signs -- "Merchants/Greene Boulevard", unbuilt segment of S.R. 66 in Hamblen County.

Senate Bill No. 1790 by Senator Person.

Tennessee Regulatory Authority -- Limits amounts that municipally- or cooperatively-owned utility shall request or receive from utility in exchange for permission for pole attachments, and may refuse requests only if access is not technically feasible. Amends TCA Section 65-21-105.

Senate Bill No. 1791 by Senator Person.

Civil Procedure -- Changes notice requirements for judicial or trust sales and requires affidavit of trustee or offer conducting sale that notice requirements have been satisfied. Amends TCA Title 35, Chapter 5.

Senate Bill No. 1792 by Senator Person.

Medical Occupations -- Creates board to license and regulate all medical radiation workers. Amends TCA Title 63.

Senate Bill No. 1793 by Senator Clabough.

Special License Plates -- Authorizes issuance of new specialty earmarked license plates to honor state's volunteer firefighters; allocates 50 percent of funds derived from sale thereof to Tennessee

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Volunteer Firefighters Association to benefit volunteer fire departments statewide. Amends TCA Title 55, Chapter 4.

Senate Bill No. 1794 by Senator Clabough.

Game and Fish Laws -- Authorizes wild turkey and deer season to be year-round. Amends TCA Title 70, Chapter 4, Part 1.

Senate Bill No. 1795 by Senator Clabough.

Drugs -- Requires that over-the-counter medication products containing ephedrine or pseudoephedrine be maintained behind counter for retail sale and that retail purchases be limited to three packages at a time. Amends TCA Title 39; Title 53 and Title 68.

Senate Bill No. 1796 by Senator Cooper.

Sequatchie County -- Subject to local approval, repeals private purchasing acts.

Senate Bill No. 1797 by Senator Cooper.

Opticians -- Sets out requirements for prescribing and dispensing contact lenses. Amends TCA Title 63.

Senate Bill No. 1798 by Senator Bryson.

Bail, Bail Bonds -- Authorizes judge to require that form of bail bond be cash deposit bond if bailable offense involves worthless check, child custody or support violation or probation violation. Amends TCA Title 40, Chapter 11 and Title 40, Chapter 4.

Senate Bill No. 1799 by Senator Clabough.

Banks and Financial Institutions -- Enacts "Tennessee Fair Lending Act". Amends TCA Title 45; Title 47, Chapter 15 and Title 47, Chapter 14.

Senate Bill No. 1800 by Senator Burchett.

Animals and Animal Cruelty -- Authorizes Department of Agriculture to regulate exotic animals; removes such regulation from TWRA. Amends TCA Title 44 and Title 70, Chapter 4, Part 4.

Senate Bill No. 1801 by Senator Cohen.

Education, Higher -- Allows alternative uses of money donated for chairs of excellence. Amends TCA Title 49, Chapter 7, Part 5.

Senate Bill No. 1802 by Senator Cohen.

Safety -- Increases weight minimum for child safety seat usage from children weighing not less than 40 pounds to children weighing not less than 50 pounds. Amends TCA Section 55-9-602.

Senate Bill No. 1803 by Senator Cohen.

Mass Transit -- Compensates businesses affected adversely by construction and renovation of mass transit lines and facilities up to amount equal to 1 percent of total mass transit funds; compensation to be available through loans and grants.

Senate Bill No. 1804 by Senator Jackson.

Criminal Procedure -- Clarifies that municipality that does not maintain jail facilities and transfers custody of its arrestees to sheriff of county in which such municipality is located shall not be required to pay fee for taking or transmitting of fingerprints by sheriff. Amends TCA Title 8; Title 38 and Title 39.

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Senate Bill No. 1805 by Senator Ketron.

Mental Illness -- Removes requirement that sheriff consult with county executive before designating secondary transportation agent for transporting persons with mental illness; requires county to pay for training provided by department on mental health crisis management. Amends TCA Section 33-6-901.

Senate Bill No. 1806 by Senator Clabough.

Tobacco, Tobacco Products -- Places additional regulations on cigarette distributors, importers, manufacturers and retail dealers. Amends TCA Title 67, Chapter 4.

Senate Bill No. 1807 by Senator Clabough.

Public Health -- Authorizes emergency medical services personnel to rely upon bracelet or necklace containing appropriate DNR order. Amends TCA Section 68-140-602.

Senate Bill No. 1808 by Senator Clabough.

Annexation -- Deletes provision placing property of airport with regularly scheduled commercial passenger service, located in county other than county where creating municipality is located, in annexation free zone. Amends TCA Title 6, Chapter 58, Part 1.

Senate Bill No. 1809 by Senator Cooper.

Special License Plates -- Authorizes issuance of Water Preservation new specialty earmarked license plates; allocates 50 percent of funds produced from sale thereof to agricultural resources conservation fund. Amends TCA Title 4; Title 8; Title 54 and Title 55.

Senate Bill No. 1810 by Senator Beavers.

Appropriations -- Makes appropriations for fiscal years beginning July 1, 2002, and July 1, 2003.

Senate Bill No. 1811 by Senator Burks.

Veterinarians -- Makes revisions to authority of board of veterinary medical examiners; removes authority to issue premises permit to veterinary facility or mobile clinic and repeals all rules and regulations relative to premises permit system. Amends TCA Title 63, Chapter 12, Part 1.

Senate Bill No. 1812 by Senator Burks.

Education, Higher -- Requires legislative confirmation of all appointed members of THEC, Tennessee board of regents and University of Tennessee board of trustees. Amends TCA Title 49, Chapter 7; Title 49, Chapter 8 and Title 49, Chapter 9.

Senate Bill No. 1813 by Senator Crowe.

Education, Higher -- Provides that student veteran cannot defer more tuition and fees than amount of education assistance to be received. Amends TCA Section 49-7-104.

Senate Bill No. 1814 by Senator Crowe.

Pensions and Retirement Benefits -- Allows Tennessee consolidated retirement system credit without charge for certain military service. Amends TCA Section 8-34-605.

Senate Bill No. 1815 by Senator Crowe.

Education, Higher -- Requires public institutions of higher education to include notice of veterans' educational benefits in all catalogues and class schedules; veterans' education division of THEC to monitor. Amends TCA Section 49-7-104.

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Senate Bill No. 1816 by Senator Crowe.

Medical Occupations -- Authorizes emergency medical services board to conduct criminal background checks on applicants for licenses as EMTs and EMT-Ps. Amends TCA Title 68, Chapter 140, Part 5.

Senate Bill No. 1817 by Senator Crowe.

Welfare -- Excludes value of federal veterans education benefits from eligibility determinations for public assistance programs to extent permitted by federal law. Amends TCA Title 71.

Senate Bill No. 1818 by Senator Kurita.

Taxes, Exemption -- Clarifies that military motor vehicle sales tax exemption applies only to sales from licensed dealers. Amends TCA Section 67-6-303.

Senate Bill No. 1819 by Senator McLeary.

Special License Plates -- Extends eligibility for national guard special purpose license plates to honorably discharged members of national guard. Amends TCA Title 55, Chapter 4.

Senate Bill No. 1820 by Senator Kurita.

Day Care -- Allows child care agencies to seek accreditation by national accrediting agency in lieu of compliance with environment rating scales portion of program assessment for report card system. Amends TCA Section 71-3-502.

Senate Bill No. 1821 by Senator Cohen.

Insurance, Health, Accident -- Requires certain insurance policies, contract or HMO coverage delivered, issued, amended, or entered into or renewed after July 1, 2003, to include coverage for voluntary breast removal of women at high risk. Amends TCA Title 56, Chapter 7.

Senate Bill No. 1822 by Senator Cohen.

State Employees -- Revises salary, promotion and benefit provisions relating to state employees; establishes priority for state reductions-in-force. Amends TCA Title 8.

Senate Bill No. 1823 by Senator Cohen.

Agriculture -- Prohibits use of toxic waste as fertilizer if substance was ever classified as toxic in any other circumstance; prohibits use of heavy metals as fertilizer; violation is Class E felony. Amends TCA Title 43, Chapter 11 and Title 68.

Senate Bill No. 1824 by Senator Cohen.

Conservation -- Requires environmental impact study to be completed prior to forest clear-cutting. Amends TCA Title 11; Title 54; Title 68 and Title 69.

Senate Bill No. 1825 by Senator Cohen.

Highways, Roads and Bridges -- Prohibits clear cutting within 50 feet of right-of-way of public road, street, highway or bridge, or permanent public waterway. Amends TCA Title 11; Title 54 and Title 69.

Senate Bill No. 1826 by Senator Cohen.

Forest and Forest Products -- Enacts "Tennessee Industrial Chipmill Facility Impact Review and Taxpayer Protection Act of 2003". Amends TCA Title 11, Chapter 4.

Senate Bill No. 1827 by Senator Kurita.

Special License Plates -- Extends from three years to five years moratorium on re-issuance of special license plates deemed obsolete and invalid due to failure to meet minimum initial issuance or renewal requirements. Amends TCA Title 55, Chapter 4.

Senate Bill No. 1828 by Senator Harper.

Professions and Occupations -- Reduces number of continuing education hours every two years to maintain cosmetology instructor's license from 16 hours to 20 hours; adds two members who are practitioners of natural hair design. Amends TCA Title 62, Chapter 4, Part 1.

Senate Bill No. 1829 by Senator Harper.

Lottery -- Authorizes Nashville Guide Right Foundation, Tau Lambda Education Foundation, and Phi Beta Sigma Education Foundation to conduct annual event pursuant to Article XI, Section 5 of Constitution of Tennessee.

Senate Bill No. 1830 by Senator McLeary.

Interstate Compacts -- Adds article to Interstate Compact on Juveniles that provides for disposition of child brought before court outside child's home state. Amends TCA Section 37-4-101.

Senate Bill No. 1831 by Senator Harper.

Polygraph -- Revises licensure and disciplinary actions of polygraph examiners. Amends TCA Title 62, Chapter 27.

Senate Bill No. 1832 by Senator Harper.

Child Custody and Support -- Allows parent, who has been victimized by other parent's intentional violation of visitation order on two or more occasions within any four-month period, instead of six-month period, to petition court for finding that other parent is non-compliant with order visitation; decreases time parent has to request hearing to contest petition from 20 to 15 days. Amends TCA Title 34; Title 35; Title 36; Title 37; Title 49 and Title 71.

Senate Bill No. 1833 by Senator Harper.

Lottery -- Authorizes South Central Neighborhood Development Corporation in Nashville to conduct annual event pursuant to Article XI, Section 5 of Constitution of Tennessee.

Senate Bill No. 1834 by Senator Haynes.

Planning, Public -- Authorizes non-metropolitan municipality to increase board of zoning appeals from three or five members to three, five, seven or nine members. Amends TCA Title 7 and Title 13.

Senate Bill No. 1835 by Senator McLeary.

Abuse -- Requires Department of Children's Services to submit certain information regarding recipients of child abuse prevention services to Department of Human Services for tracking purposes. Amends TCA Section 71-6-203.

Senate Bill No. 1836 by Senator Norris.

Planning, Public -- Requires dispute resolution panel appointed to review rejected growth plans to be qualified Supreme Court Rule 31 mediators. Amends TCA Title 6, Chapter 58 and Title 13, Chapter 14.

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Senate Bill No. 1837 by Senator Clabough.

Zoning -- Excludes mentally retarded or developmentally disabled persons who pose substantial likelihood of harm or have been convicted of serious criminal conduct from zoning protections for certain handicapped persons. Amends TCA Title 13, Chapter 24.

Senate Bill No. 1838 by Senator Clabough.

Aircraft and Airports -- Modifies and restates certain policies and procedures pertaining to airports and airport authorities and their methods of funding. Amends TCA Title 42, Chapter 3; Title 42, Chapter 4; Title 42, Chapter 5 and Title 42, Chapter 6.

Senate Bill No. 1839 by Senator Clabough.

Criminal Offenses -- Expands sentence enhancement for selling drugs on or within 1,000 feet of school to include public parks, daycare centers and residence in which minor resides. Amends TCA Title 39, Chapter 17, Part 4.

Senate Bill No. 1840 by Senator Fowler.

Education -- Establishes that funding for pre-kindergarten or pre-school programs from lottery proceeds is non-recurring appropriation; requires each distribution to include notice that continued funding is dependent on amount of lottery proceeds available from year to year and that legislature is not obligated to appropriate funds to maintain current funding. Amends TCA Section 49-6-101.

Senate Bill No. 1841 by Senator Fowler.

Education -- Establishes method for determining teachers' salary equity funding. Amends TCA Title 49.

Senate Bill No. 1842 by Senator Ford.

Taxes, Real Property -- Voids back assessments or reassessments of taxes for pending appeals with respect to back assessment procedure for Shelby County that was deleted in 2002. Amends TCA Title 67, Chapter 1.

Senate Bill No. 1843 by Senator Ford.

Victims' Rights -- Establishes mechanism for compensation of persons unjustly convicted of felony crimes resulting in incarceration. Amends TCA Title 29, Chapter 13.

Senate Bill No. 1844 by Senator Ford.

Gambling -- Permits certain gambling devices to be manufactured and transported within Tennessee. Amends TCA Title 39, Chapter 17, Part 5.

Senate Bill No. 1845 by Senator Henry.

Boards and Commissions -- Increases number of members on board of state executive residence preservation foundation from seven to nine; increases number of such board members selected by Governor from state museum foundation from two to four. Amends Tennessee Code Annotated, Section 4-23-103.

Senate Bill No. 1846 by Senator Henry.

Railroads -- Empowers CSX to abandon railroad right-of-way in Davidson County.

Senate Bill No. 1847 by Senator Henry.

Marriage -- Authorizes juvenile court clerks to solemnize rite of matrimony in any county of this state. Amends TCA Title 36, Chapter 3, Part 3.

Senate Bill No. 1848 by Senator Henry.

Boards and Commissions -- Requires clinical pastoral counselors to be licensed rather than certified. Amends TCA Title 63, Chapter 22, Part 2.

Senate Bill No. 1849 by Senator Henry.

Probate Law -- Deletes current authority for personal representative of surviving spouse to withdraw surviving spouse's demand for elective share when that surviving spouse dies after spouse-testator but before expiration of time for electing elective share expires. Amends TCA Section 31-4-105.

Senate Bill No. 1850 by Senator Crowe.

Civil Procedure -- Defines "notice" for purposes of notifying applicants under "Adult-Oriented Establishment Registration Act" to include mailing by first class in U.S. mail and receipt of notification to be presumed three days after mailing. Amends TCA Title 7, Chapter 51, Part 11.

Senate Bill No. 1851 by Senator Herron.

Parsons -- Subject to local approval, amends charter so that reading of ordinances and resolutions which have been presented to mayor and council members and have been posted on City Bulletin Board or on City's Web site before council meeting may be waived. Amends Chapter 182 of the Private Acts of 1998.

Senate Bill No. 1852 by Senator Herron.

Mortgages -- Requires closings for all loans for residential real property to be held in office of lender or agent of lender. Amends TCA Title 45 and Title 47.

Senate Bill No. 1853 by Senator Herron.

Mortgages -- Limits period for prepayment penalty to no longer than 24 months after date of consummation of loan of \$100,000 or less for home improvements to owner-occupied residence where residence is collateral for loan. Amends TCA Title 45 and Title 47.

Senate Bill No. 1854 by Senator Herron.

Consumer Protection -- Adds new unfair or deceptive practice of making representations in primary text of solicitation, promotion, advertisement, or other offering that is contradicted in disclosure that is inconspicuous, concealed, or otherwise obscure. Amends TCA Title 47, Chapter 18.

Senate Bill No. 1855 by Senator Herron.

Taxes, Sales -- Changes distribution of growth in local option sales tax revenue from situs to population basis. Amends TCA Title 49 and Title 67.

Senate Bill No. 1856 by Senator Herron.

Consumer Protection -- Expands consumer actions and definition of "consumer" to include out-of-state consumers if violator located in whole or in part in state; moneys awarded to consumer in state action are set off in any private action. Amends TCA Title 47, Chapter 18.

Senate Bill No. 1857 by Senator Henry.

Equalization Board -- Authorizes board to impose fee, by rule, for processing applications for property tax exemption. Amends Tennessee Code Annotated, Title 67, Chapter 5.

Senate Bill No. 1858 by Senator Henry.

Equalization Board -- Authorizes board to assess actual costs of hearing or processing appeal against any appellant not determined to be indigent. Amends Tennessee Code Annotated, Section 67-5-1501.

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Senate Bill No. 1859 by Senator Henry.

Taxes, Personal Property -- Revises provisions governing assessment of leased personal property. Amends Tennessee Code Annotated, Title 67.

Senate Bill No. 1860 by Senator Ford.

Basic Education Program (BEP) -- Authorizes certain units of local government to establish inner city educational enhancement pilot project; authorizes participation of certain school systems. Amends TCA Title 49, Chapter 1, Part 1 and Title 49, Chapter 1, Part 6.

Senate Bill No. 1861 by Senator Ford.

Probation and Parole -- Allows certain private probation entities to contractually provide probation supervision services for felons. Amends TCA Title 40, Chapter 35, Part 3.

Senate Bill No. 1862 by Senator Cooper.

Motor Vehicles, Titling and Registration -- Revises requirements for county of vehicle registration; requires county clerks to make reasonable inquiry into owner's residence or address. Amends TCA Title 55.

Senate Bill No. 1863 by Senator Burchett.

Human Rights -- Imposes certain penalties for certain discriminatory practices pertaining to places of public accommodation, resort or amusement. Amends TCA Title 4, Chapter 21.

Senate Bill No. 1864 by Senator Walker.

Hospitals and Health Care Facilities -- Revises various requirements concerning obtaining medical records from health care providers and facilities. Amends TCA Title 33; Title 50; Title 63 and Title 68.

Senate Bill No. 1865 by Senator Ramsey.

Landlord and Tenant -- Removes Sullivan County from list of counties excluded from provisions of Uniform Residential Landlord and Tenant Act. Amends TCA Section 66-28-102.

Senate Bill No. 1866 by Senator Ramsey.

Bail, Bail Bonds -- Adds whether offense is such that state is likely to seek penalty of death or life without parole to factors that judge must consider when determining amount of bail to set or if offense is bailable. Amends TCA Title 40, Chapter 11.

Senate Bill No. 1867 by Senator Ramsey.

Real Property -- Provides that sale of property as building lot which is not in fact buildable is fraudulent conveyance and is void. Amends TCA Title 66, Chapter 3, Part 1.

Senate Bill No. 1868 by Senator Ramsey.

Taxes, Severance -- Adds granite to list of taxable minerals. Amends TCA Title 67, Chapter 7.

Senate Bill No. 1869 by Senator Ramsey.

Taxes, Sales -- Reduces state sales tax from 7 percent to 6 percent at 1/4 percent per fiscal year. Amends TCA Title 67, Chapter 6.

Senate Bill No. 1870 by Senator Ramsey.

TennCare -- Authorizes TennCare bureau to administer pharmacy element to increase rebates, to limit reimbursement for multisource generics in certain circumstances and requires maximum

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allowable cost list and new pharmacy committee. Amends TCA Title 53; Title 56; Title 63, and Title 71.

Senate Bill No. 1871 by Senator Ramsey.

Traffic Safety -- Prohibits aggressive driving, violation punishable as Class A or B misdemeanor depending on intent. Amends TCA Title 39 and Title 55, Chapter 8, Part 1.

Senate Bill No. 1872 by Senators McNally and Miller.

Solid Waste Disposal -- Requires all subdivision lots of equal size to be treated equally for purposes of subsurface sewage disposal permitting. Amends TCA Title 68, Chapter 221, Part 4.

Senate Bill No. 1873 by Senator Kyle.

Budget Procedures -- Requires bill increasing cost to local governments to be funded by amendment to appropriations act that contains new revenue or offsetting reduction in appropriation to fund state share of cost of such bill. Amends TCA Title 3; Title 4 and Title 9.

Senate Bill No. 1874 by Senator Kyle.

Taxes, Sales -- Reduces sales tax on food from 6 percent to 3 percent effective January 1, 2004. Amends TCA Title 3; Title 4; Title 5; Title 6; Title 7; Title 8; Title 9; Title 12; Title 16; Title 30; Title 36; Title 39; Title 40; Title 45; Title 47; Title 48; Title 55; Title 56; Title 57; Title 61; Title 62; Title 67; Title 68; Title 69; Title 70 and Title 71.

Senate Bill No. 1875 by Senator Kyle.

Taxes, Sales -- Reduces sales tax on food from 6 percent to 3 percent effective January 1, 2004. Amends TCA Title 3; Title 4; Title 5; Title 6; Title 7; Title 8; Title 9; Title 12; Title 16; Title 30; Title 36; Title 39; Title 40; Title 45; Title 47; Title 48; Title 55; Title 56; Title 57; Title 61; Title 62; Title 67; Title 68; Title 69; Title 70 and Title 71.

Senate Bill No. 1876 by Senator Kyle.

Bail, Bail Bonds -- Authorizes judge to determine form of bail bond, including cash deposit bond, as well as amount of bond; provided form does not abrogate defendant's constitutional right to bail. Amends TCA Title 40, Chapter 11 and Title 40, Chapter 4.

Senate Bill No. 1877 by Senator Kyle.

Driver Licenses -- Removes authority to revoke driver license of person younger than 21 years of age but older than 18 years of age for possession of alcoholic beverages. Amends TCA Section 57-4-203.

Senate Bill No. 1878 by Senator Kyle.

Fines and Penalties -- Creates additional fines earmarked for traumatic brain injury fund for certain vehicular offenses. Amends TCA Title 68, Chapter 55.

Senate Bill No. 1879 by Senator Kyle.

Budget Procedures -- Requires bill increasing cost to local governments to be funded by amendment to appropriations act that contains new revenue or offsetting reduction in appropriation to fund state share of cost of such bill. Amends TCA Titles 1 through 71.

Senate Bill No. 1880 by Senator Herron.

Lake County -- Subject to local approval, requires Lake County board of highway commissioners rather than county commission to appoint county superintendent of highways. Amends Chapter 262 of the Private Acts of 1980; as amended.

Senate Bill No. 1881 by Senator Norris.

Taxes -- Authorizes cities and counties to increase income levels, property appraisal limits and reduce interest rates under Chapter 831 and Chapter 659 real property tax programs. Amends TCA Title 7, Chapter 64.

Senate Bill No. 1882 by Senator Norris.

Real Property -- Authorizes condominiums to have satellite dishes if not prohibited by local zoning or ordinances. Amends TCA Title 66, Chapter 27, Part 1.

Senate Bill No. 1883 by Senator Norris.

Remedies and Special Proceedings -- Requires claims commission to compile and maintain certain records concerning claims for compensation for criminal injuries. Amends TCA Title 29, Chapter 13, Part 1.

Senate Bill No. 1884 by Senator Norris.

Insurance, Health, Accident -- Creates Tennessee Health Insurance Risk Pool. Amends TCA Title 56, Chapter 7.

Senate Bill No. 1885 by Senator Burchett.

Sports -- Revises term of president of Tennessee sports hall of fame from one to two years; authorizes ex officio members of board to be voting members. Amends TCA Section 4-3-5403.

Senate Bill No. 1886 by Senator Crutchfield.

Telecommunications -- Requires incumbent local exchange company or competing telecommunications service provider with more than 100,000 access lines, within one year of effective date of this act, to reduce its intrastate switched access rates to local interconnect rate established by Tennessee regulatory authority. Amends TCA Title 65.

Senate Bill No. 1887 by Senator Clabough.

Mobile Homes and Manufactured Buildings -- Changes provisions governing manufacture and installation of manufactured homes. Amends TCA Title 68, Chapter 126.

Senate Bill No. 1888 by Senator Clabough.

Taxes, Excise -- Requires consolidated filing of tax returns. Amends TCA Title 67, Chapter 4, Part 21 and Title 67, Chapter 4, Part 20.

Senate Bill No. 1889 by Senator Clabough.

Liens -- Deletes certain nonpayment notification requirements currently imposed with respect to certain work performed by subcontractor, laborer or materialman who wishes to perfect mechanic's lien or materialman's lien. Amends TCA Section 66-11-145.

Senate Bill No. 1890 by Senator Kurita.

Special License Plates -- Authorizes issuance of new specialty earmarked license plates to honor state's nurses; allocates 50 percent of funds derived from sale thereof to Nurses for a Healthy Tennessee. Amends TCA Title 55, Chapter 4.

Senate Bill No. 1891 by Senator Ramsey.

Bankruptcy -- Ends debtors interest in motor vehicle at time of repossession. Amends TCA Title 26 and Title 47.

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Senate Bill No. 1892 by Senator Jackson.

Utilities, Utility Districts -- Revises manner of filling vacancies of board of commissioners of water utility district having less than 1,600 subscribers located in Lawrence County. Amends TCA Section 7-82-307.

Senate Bill No. 1893 by Senator Jackson.

Taxes, Gasoline, Petroleum Products -- Increases gasoline and other fuel taxes by five cents per gallon and allocates proceeds to new rural highway development program. Amends TCA Title 5; Title 6; Title 54; Title 55 and Title 67.

Senate Bill No. 1894 by Senator Miller.

Alcoholic Beverages -- Clarifies that definition of alcoholic beverage does not include beverages containing distilled alcohol and flavors or flavoring extracts. Amends TCA Title 57, Chapter 3, Part 1 and Title 57, Chapter 4, Part 1.

Senate Bill No. 1895 by Senator Miller.

Alcoholic Beverages -- Clarifies that definition of alcoholic beverage does not include beverages containing distilled alcohol and flavors or flavoring extracts. Amends TCA Title 57, Chapter 3, Part 1 and Title 57, Chapter 4, Part 1.

Senate Bill No. 1896 by Senator Miller.

Civil Procedure -- Makes permissive, rather than mandatory, tape recording of forfeiture proceeding. Amends TCA Title 40, Chapter 33, Part 2.

Senate Bill No. 1897 by Senator Miller.

Civil Procedure -- Makes permissive, rather than mandatory, tape recording of forfeiture proceeding. Amends TCA Title 40, Chapter 33, Part 2.

Senate Bill No. 1898 by Senator Dixon.

Criminal Offenses -- Makes knowing failure by physician to report malpractice judgments or settlements to board of medical examiners Class E felony; authorizes board to suspend license of physicians with five or more such judgments or settlements. Amends TCA Title 39 and Title 63, Chapter 6, Part 2.

Senate Bill No. 1899 by Senator Dixon.

Insurance Companies, Agents, Brokers, Policies -- Requires insurers to reimburse patients for up to two medication counseling sessions with pharmacists. Amends TCA Title 56.

Senate Bill No. 1900 by Senator Dixon.

Criminal Offenses -- Creates Class C misdemeanor for nursing home that refuses to allow authorized family member or guardian of resident to install secure video camera in such resident's room. Amends TCA Title 39 and Title 68, Chapter 11.

Senate Bill No. 1901 by Senator Dixon.

Mortgages -- Revises residential lending, brokerage and servicing act with respect to home improvement contractors and other persons who supply materials and render services in improvement of real property. Amends TCA Title 45.

Senate Bill No. 1902 by Senator Dixon.

Redistricting, Congressional -- Moves three people in two census blocks from District 9 to District 7 in Shelby County. Amends TCA Section 2-16-103.

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Senate Bill No. 1903 by Senator Dixon.

Redistricting, Legislative -- Moves unpopulated census block from District 84 to District 87 in Shelby County. Amends TCA Section 3-1-103.

Senate Bill No. 1904 by Senator Kyle.

Criminal Offenses -- Requires persons of certain occupations to report to board of medical examiners if such person has reasonable cause to believe that harm or injury caused to another was result of medical malpractice; makes knowing failure to report such harm or injury Class C misdemeanor. Amends TCA Title 29; Title 38 and Title 39.

Senate Bill No. 1905 by Senator Miller.

Workers' Compensation -- Requires officers serving process in workers' compensation cases to be paid the same as sheriffs and constables; requires bonuses routinely given to employees be considered in determining average weekly wages. Amends TCA Title 50, Chapter 6.

Senate Bill No. 1906 by Senator Crowe.

Pensions and Retirement Benefits -- Authorizes certain municipalities to establish a separate public safety group for the purpose of providing separate retirement benefits for policemen and firemen. Amends TCA Title 8, Chapter 34; Chapter 35; Chapter 36 and Chapter 37.

Senate Bill No. 1907 by Senator Crowe.

Pensions and Retirement Benefits -- Permits state employees and certain teachers on educational leave of absence to establish retirement credit for leave periods. Amends TCA Section 8-34-606.

Senate Bill No. 1908 by Senator Herron.

Taxes, Sales -- Allocates all moneys received from the state sales and use tax imposed on cigarettes to Department of Mental Health and Developmental Disabilities. Amends TCA Title 67, Chapter 6.

Senate Bill No. 1909 by Senator Bryson.

Education -- Changes definition of home school to include designated adult family members as among those who can conduct such school and to include extended family members or children residing in household among those who can be home schooled. Amends TCA Section 49-6-3050.

Senate Bill No. 1910 by Senator Kurita.

Special License Plates -- Authorizes issuance of new specialty earmarked license plates to promote breast cancer awareness; allocates 50 percent of funds derived from sale thereof to The Minnie Pearl Foundation to fund breast cancer research. Amends TCA Title 55, Chapter 4.

Senate Bill No. 1911 by Senator McLeary.

Pensions and Retirement Benefits -- Allows certain persons retiring after July 1, 2003, to have sick leave credited for retirement benefit calculation purposes at the rate of the employee's compensation in employee's last month of service. Amends TCA Section 8-34-604.

Senate Bill No. 1912 by Senator McNally.

Pensions and Retirement Benefits -- Removes reduction on early retirement benefit for certain officials. Amends TCA Title 8, Chapter 35; Title 8, Chapter 36; Title 8, Chapter 37; Title 8, Chapter 38, Part 1 and Title 8, Chapter 34.

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Senate Bill No. 1913 by Senator Williams.

Special License Plates -- Authorizes issuance of NASCAR new specialty earmarked license plates; allocates 50 percent of funds produced from sale thereof to Tennessee State Museum Foundation. Amends TCA Title 55, Chapter 4.

Senate Bill No. 1914 by Senator Williams.

Common Carriers -- Exempts tow trucks performing consensual towing from motor carrier provisions. Amends TCA Section 65-15-103.

Senate Bill No. 1915 by Senator Williams.

Transportation, Dept. of -- Requires Web page to include alternative routes to avoid construction. Amends TCA Title 4; Title 12 and Title 54.

Senate Bill No. 1916 by Senator Ford.

Medical Occupations -- Authorizes surgical technologists to apply to office of health related boards for certification. Amends TCA Title 63.

Senate Bill No. 1917 by Senator Ford.

Courts -- Expands authority of court to permit defendant to perform labor in lieu of paying some or all of probation or diversion supervision fees to also permit defendant to perform labor in lieu of paying some or all of various court costs, in court's discretion. Amends TCA Title 40, Chapter 35.

Senate Bill No. 1918 by Senator Graves.

Victims' Rights -- Establishes "Victims Specialist Certification Act". Amends TCA Title 40, Chapter 38.

Senate Bill No. 1919 by Senator Graves.

Game and Fish Laws -- Requires TWRA to reimburse vehicle owners for damage to vehicles caused by elk reintroduced to Tennessee by TWRA in 2000. Amends TCA Title 70, Chapter 1.

Senate Bill No. 1920 by Senator Graves.

County Government -- Removes prohibition banning counties from owning or operating hot mix asphalt facilities.

Senate Bill No. 1921 by Senator Graves.

Purchasing -- Requires purchases of chemical products to be from manufacturers which list and maintain material safety data sheet on Internet. Amends TCA Title 5, Chapter 14; Title 6, Chapter 56 and Title 12, Chapter 3.

Senate Bill No. 1922 by Senator Person.

Juvenile Offenders -- Revises Interstate Compact for Juveniles. Amends and repeals portions of TCA Title 37. Repeals portions of TCA Title 37.

Senate Bill No. 1923 by Senator Walker.

Fireworks -- Requires state fire marshal to develop safety plan for use of pyrotechnic devices indoors; authorizes Commissioner of Commerce and Insurance to develop rules and regulations to promote safety of patrons where pyrotechnics will be used indoors. Amends TCA Title 68, Chapter 104, Part 1.

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Senate Bill No. 1924 by Senator Cohen.

Redistricting, Legislative -- Moves unpopulated census block from District 84 to District 87 in Shelby County. Amends TCA Section 3-1-103.

Senate Bill No. 1925 by Senator Cohen.

Redistricting, Congressional -- Moves three people in two census blocks from District 9 to District 7 in Shelby County. Amends TCA Section 2-16-103.

Senate Bill No. 1926 by Senator Herron.

Utilities, Utility Districts -- Authorizes Tennessee regulatory authority to require reports from regulated entities concerning services provided and charges for services compared to other similar utilities; authorizes publication of such reports. Amends TCA Title 4; Title 47; Title 65 and Title 67.

Senate Bill No. 1927 by Senator Crutchfield.

Sports -- Removes requirement that professional boxing match be sponsored by patriotic organization; defines amateur boxing match; makes other revisions to boxing provisions. Amends TCA Title 68, Chapter 115.

Senate Bill No. 1928 by Senator Crutchfield.

Funeral Directors and Embalmers -- Establishes licensing and registration provisions for crematories. Amends TCA Title 62, Chapter 5.

Senate Bill No. 1929 by Senator Crutchfield.

Insurance Companies, Agents, Brokers, Policies -- Allows Commissioner of Commerce and Insurance to allow or require filing of documents with commissioner through designated filing depository; creates fee for additional rate filings; makes other various revisions to insurance provisions. Amends TCA Title 56.

Senate Bill No. 1930 by Senator Crutchfield.

Cemeteries -- Includes information on pre-need trust accounts in information that must be provided for transfer to Commissioner of Commerce and Insurance prior to sale or transfer of cemetery required to be registered or sale of controlling interest in cemetery company that owns cemetery; authorizes commissioner to deny or suspend registration for cemetery in violation of regulations. Amends TCA Title 46, Chapter 1.

Senate Bill No. 1931 by Senator Crutchfield.

Taxes, Sales -- Requires dealer to file electronic tax payment when such dealer is consistently liable for \$10,000 or more within tax period; imposes \$500 penalty for each remittance or return improperly filed. Amends Tennessee Code Annotated, Title 67.

Senate Bill No. 1932 by Senator Crutchfield.

Tort Liability -- Specifies that false claims provisions and penalties do not apply to claims, records and statements under any statute applicable to any tax administered by Department of Revenue. Amends Tennessee Code Annotated, Section 4-18-103.

Senate Bill No. 1933 by Senator Crutchfield.

Taxes, Sales -- Removes prohibition against governments from taxing sale, use, consumption, or distribution of steam and chilled water produced and distributed by energy resource recovery facility that is operated in county with metropolitan form of government. Amends Tennessee Code Annotated, Title 67.

Senate Bill No. 1934 by Senator Crutchfield.

Public Contracts -- Requires awarding of administrative contracts for specific service signs to vendors who offer the lowest responsive and responsible bid. Amends Tennessee Code Annotated, Title 12, Chapter 4.

Senate Bill No. 1935 by Senator Crutchfield.

Health Care -- Requires division of health related boards to publish via Internet directory of persons licensed to practice any branch of healing arts. Amends Tennessee Code Annotated, Title 63.

Senate Bill No. 1936 by Senator Crutchfield.

Public Contracts -- Authorizes, in regard to provisions allowing securities or cash being substituted for bond to secure public contract, certificates of deposits and letters of credits from state or national banks whose principal offices are in other states so long as such banks maintain branch in this state. Amends Tennessee Code Annotated, Section 12-4-201.

Senate Bill No. 1937 by Senator Crutchfield.

Appeal and Review -- Provides that appeals from denial of authorization under environment, health and safety provisions must be brought within 30 days from date notice of denial is sent. Amends Tennessee Code Annotated, Title 68.

Senate Bill No. 1938 by Senator Crutchfield.

Insurance Companies, Agents, Brokers, Policies -- Includes third party payors or carriers regulated by Department of Commerce and Insurance and self-insured entities as entities authorized to share information regarding child immunization records. Amends Tennessee Code Annotated, Sections 63-2-101 and 37-10-401.

Senate Bill No. 1939 by Senator Crutchfield.

Paternity -- Revises present law provisions that child's surname is to be legal surname of mother in cases where mother not married at time of either conception or birth, or between conception, and birth and in all cases not covered by statute to instead provide that child's surname may be mother's legal surname, mother's maiden surname, or a combination thereof. Amends Tennessee Code Annotated, Section 68-3-305.

Senate Bill No. 1940 by Senator Crutchfield.

Health, Dept. of -- Permits any board, council, or committee governing health professions, medical laboratories, or alcohol or drug treatment facilities to impose additional sanction of paying actual and reasonable costs of investigation and prosecution of disciplinary contested case proceeding. Amends Tennessee Code Annotated, Title 63, Chapter 1, Part 1; Title 68, Chapter 24, Part 6, and Title 68, Chapter 29.

Senate Bill No. 1941 by Senator Crutchfield.

Day Care -- Reclassifies and exempts certain business and programs from child care agency licensing; requires such business and programs to maintain sign explaining that such entities are not licensed; requires criminal history information for workers of registered child care homes with less than five children and those seeking to operate such homes. Amends Tennessee Code Annotated, Title 71.

Senate Bill No. 1942 by Senator Crutchfield.

Divorce, Annulment and Alimony -- Specifies that when Department of Children's Services reviews child support order, order may be adjusted upon reviewer's determination that substantial change in

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circumstances exists, rather than upon requesting party's proof such change exists; corrects citation errors. Amends Tennessee Code Annotated, Title 36.

Senate Bill No. 1943 by Senator Crutchfield.

Victims' Rights -- Adds Commissioner of Human Services to victims of crime state coordinating council. Amends TCA Section 40-38-403.

Senate Bill No. 1944 by Senator Crutchfield.

Welfare -- Modifies federal waiver provisions related to implementation of welfare programs. Amends TCA Title 71.

Senate Bill No. 1945 by Senator Crutchfield.

Education -- Recommends that preschool programs include early childhood reading component that includes curriculum appropriate for children's ages and stages of development. Amends Tennessee Code Annotated, Title 49, Chapter 6.

Senate Bill No. 1946 by Senator Crutchfield.

Criminal Procedure -- Removes statute of limitations for prosecution of following offenses if offense committed after effective date of this act: aggravated rape, rape, aggravated sexual battery, sexual battery, rape of child, sexual battery by authority figure, and incest. Amends Tennessee Code Annotated, Title 40, Chapter 2.

Senate Bill No. 1947 by Senator Crutchfield.

Civil Service -- Clarifies that bona fide offer of employment occurs when state employee's current position is reduced and employer offers comparable level position in location previously declared by employee as acceptable. Amends Tennessee Code Annotated, Title 8.

Senate Bill No. 1948 by Senator Crutchfield.

Children and Youth, Commission on -- Eliminates requirement that youth service officers and correctional officers be free of all apparent mental disorders. Amends TCA Title 37, Chapter 5, Part 1 and Title 41, Chapter 1, Part 1.

Senate Bill No. 1949 by Senator Crutchfield.

Law Enforcement -- Eliminates requirement that appointed or elected sheriffs and police officers be certified by qualified professional in psychiatric or psychological fields as free of all apparent mental disorders. Amends TCA Title 8, Chapter 8, Part 1 and Title 38, Chapter 8, Part 1.

Senate Bill No. 1950 by Senator Crutchfield.

Agriculture -- Requires persons applying for commercial aerial applicator license to first obtain certification in category of pesticides such persons intend to apply; imposes other requirements on licensed aerial applicators and increases punishment for violation of aerial application provisions. Amends Tennessee Code Annotated, Title 43, Chapter 8, Part 3.

Senate Bill No. 1951 by Senator Crutchfield.

Pest Control -- Substitutes "administrator for pesticide management programs" for "director of division of plant industries" as member of pest control board. Amends Tennessee Code Annotated, Title 62, Chapter 21.

Senate Bill No. 1952 by Senator Crutchfield.

Agriculture -- Includes within definition of "farm product" for purposes of right to farm law "forest products" instead of "trees". Amends Tennessee Code Annotated, Title 43.

Senate Bill No. 1953 by Senator Crutchfield.

Parks, Natural Areas Preservation -- Defines "certified" for purposes of state forest provisions to mean state forest meeting standards for forest sustainability pursuant to requirements of forest stewardship council, sustainable forestry initiative, or other nationally recognized programs promoting forest sustainability. Amends Tennessee Code Annotated, Title 11, Chapter 4.

Senate Bill No. 1954 by Senator Crutchfield.

Interstate Compacts -- Revises interstate juvenile compact to provide that child brought before court in state other than child's home state may be returned to home state if court willing to permit such return. Amends Tennessee Code Annotated, Title 37, Chapter 4, Part 1.

Senate Bill No. 1955 by Senator Crutchfield.

Children's Services, Dept. of -- Authorizes department to require funded child abuse service providers to collect identifying information on recipients of child abuse services in order to track effectiveness of such services.

Senate Bill No. 1956 by Senator Crutchfield.

Education -- Removes state special school status for Tennessee Preparatory School. Amends TCA Title 4; Title 8; Title 37 and Title 49.

Senate Bill No. 1957 by Senator Crutchfield.

Correction, Dept. of -- Authorizes department to use more than one polygraph machine or drug dog to detect controlled substances and other contraband at correctional facilities; authorizes department to use drug dogs to search persons as well as vehicles entering such facilities; and authorizes department to obtain assistance from other state agencies and from counties, municipalities, and federal agencies as needed. Amends Tennessee Code Annotated, Titles 4 and 41.

Senate Bill No. 1958 by Senator Crutchfield.

Parks, Natural Areas Preservation -- Designates Stones River Cedar Glade and Barrens and Gattinger's Cedar Glade and Barrens as natural areas; revises description of Shelby Farms-Lucius E. Burch, Jr. natural area; increases acreage of Couchville Cedar Glade from 84 to 122 acres and North Chickamauga Creek Gorge from 3,852 to 4,864 acres. Amends TCA Title 11, Chapter 14.

Senate Bill No. 1959 by Senator Crutchfield.

Taxes, Sales -- Includes labor, building materials, and equipment in valuation of investment for purposes of meeting \$50 million threshold for sales and use tax credit for headquarters relocation.

Senate Bill No. 1960 by Senator Crutchfield.

Public Records -- Clarifies that utility service providers' reports identifying areas vulnerable to terrorism or other unlawful disruptions of service are confidential. Amends TCA subsection 10-7-504(a)(21).

Senate Bill No. 1961 by Senator Crutchfield.

Finance and Administration, Dept. of -- Authorizes department to develop policies for settlement and accounting of school funds. Amends Tennessee Code Annotated, Title 9, Chapter 2.

Senate Bill No. 1962 by Senator Crutchfield.

Finance and Administration, Dept. of -- Clarifies that commissioner may issue duplicate warrant to any person if original issued warrant was lost, mislaid, or destroyed, in accordance with written

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procedures established by commissioner and approved by state treasurer and comptroller of treasury. Amends Tennessee Code Annotated, Title 9, Chapter 4.

Senate Bill No. 1963 by Senator Crutchfield.

Finance and Administration, Dept. of -- Requires department's monthly reports on receipts and expenditures of government and on appropriations, allotments, encumbrances, and authorized payments to be written. Amends TCA Title 4, Chapter 3, Part 10.

Senate Bill No. 1964 by Senator Crutchfield.

Finance and Administration, Dept. of -- Removes specification that commissioner's copy of deeds recorded with secretary of state, deeds that come into possession of commissioner, and leases recorded with secretary of state be kept in commissioner's office. Amends Tennessee Code Annotated, Title 12, Chapter 2, Part 1.

Senate Bill No. 1965 by Senator Crutchfield.

State Government -- Requires that land acquired for projects within jurisdiction of state building commission should be accomplished on terms consistent with policies and procedures of such commission. Amends Tennessee Code Annotated, Title 12, Chapter 1.

Senate Bill No. 1966 by Senator Crutchfield.

State Government -- Declares that meetings of information systems council are to be held in Nashville, but council could decide to hold special meetings in other locations. Amends Tennessee Code Annotated, Title 4, Chapter 3, Part 55.

Senate Bill No. 1967 by Senator Crutchfield.

Finance and Administration, Dept. of -- Declares that guidelines for evaluation of state agency systems of internal accounting and administrative control established by commissioner are public records but that filing with secretary of state not required. Amends Tennessee Code Annotated, Title 9, Chapter 18.

Senate Bill No. 1968 by Senator Crutchfield.

Finance and Administration, Dept. of -- Allows department to serve as staff to state insurance committee, local government insurance committee, and local education insurance committee. Amends Tennessee Code Annotated, Title 8, Chapter 27.

Senate Bill No. 1969 by Senator Crutchfield.

Finance and Administration, Dept. of -- Instructs office of information resources within Department of Information Resources to provide centralized and standardized management of local area, metropolitan and wide area computer networks for state departments and agencies, including policies and connectivity to enhance implementation and management of security. Amends Tennessee Code Annotated, Title 4, Chapter 3, Part 55.

Senate Bill No. 1970 by Senator Crutchfield.

Finance and Administration, Dept. of -- Revises various provisions governing department's powers and duties. Amends Tennessee Code Annotated, Title 4, Chapter 3, Parts 10 and 55; Title 8, Chapter 27; Title 9, Chapters 2, 4, and 18; Title 12, Chapter 2, Part 1.

Senate Bill No. 1971 by Senator Crutchfield.

Welfare -- Increases from five to six number of members needed for quorum of child care agency licensing board; eliminates requirement for comptroller to perform audit on impact of Family First Act. Amends Tennessee Code Annotated, Title 3, Chapter 15; Title 33; Title 56; Title 68 and Title 71.

Senate Bill No. 1972 by Senator Crutchfield.

Education -- Changes from September 1 to October 1 date by which Commissioner of Education must recommend to state board of education listing of schools to be placed on notice. Amends TCA Title 49, Chapter 1, Part 6.

Senate Bill No. 1973 by Senator Crutchfield.

Education -- Provides for additional funding allocation based on total number of local instruction personnel rather than merely BEP-funded positions. Amends TCA Title 49, Chapter 3.

Senate Bill No. 1974 by Senator Crutchfield.

Education -- Provides that kindergarten may be considered mandatory program. Amends TCA Section 49-6-301.

Senate Bill No. 1975 by Senator Crutchfield.

Education -- Revises criteria for determining at-risk children for pre-school and early learning programs. Amends TCA Section 49-6-101.

Senate Bill No. 1976 by Senator Crutchfield.

Education -- Provides for electronic dissemination of public chapters on education to LEAs. Amends TCA Section 49-1-201.

Senate Bill No. 1977 by Senator Crutchfield.

Transportation, Dept. of -- Removes requirement that General Assembly authorize reorganization, creation, or elimination of any departmental units after July 1, 1981. Amends Tennessee Code Annotated, Section 4-3-2303(6).

Senate Bill No. 1978 by Senator Crutchfield.

Salaries and Benefits -- Authorizes Commissioner of Labor and Workforce Development after notice and opportunity for hearing to assess civil penalties for wage violations. Amends TCA Title 50, Chapter 2.

Senate Bill No. 1979 by Senator Crutchfield.

Labor -- Makes order of Commissioner of Labor imposing civil penalties of less than \$10,000 in aggregate for violations of child labor laws final order under UAPA. Amends TCA Title 50, Chapter 5.

Senate Bill No. 1980 by Senator Crutchfield.

Employees, Employers -- Requires posting of workplace chemical list and review of such list by employee. Amends TCA Title 50, Chapter 3.

Senate Bill No. 1981 by Senator Crutchfield.

Energy -- Updates energy code for public buildings. Amends TCA Title 13, Chapter 19.

HOUSE BILLS ON FIRST CONSIDERATION

The Speaker announced that the following House Bills were transmitted to the Senate and passed first consideration:

House Bill No. 423 -- Harriman -- Subject to local approval, authorizes non-resident landowners to vote in city elections. Amends Chapter 165 of the Private Acts of 1917.

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House Bill No. 458 -- Auburntown -- Subject to local approval, increases terms of office for mayor and aldermen from two to four years beginning with November 2004 election. Amends Chapter 65 of the Private Acts of 1949.

House Bill No. 460 -- Bluff City -- Subject to local approval, revises terms of office for mayor and aldermen. Amends Chapter 24 of the Private Acts of 1997.

House Bill No. 463 -- Jefferson City -- Subject to local approval, requires bids for expenditures of \$10,000 or more instead of \$5,000 or more. Amends Chapter 11 of the Private Acts of 1979.

House Bill No. 464 -- Jefferson City -- Subject to local approval, changes general city election from May to November. Amends Chapter 11 of the Private Acts of 1979; as amended.

House Bill No. 473 -- Lynnville -- Subject to local approval, revises terms of office and qualifications for mayor and aldermen. Amends Chapter 289 of the Private Acts of 1965; as amended.

House Bill No. 489 -- Milan -- Subject to local approval, changes date of election for municipal court clerk from regular August election to regular November election. Amends Chapter 7 of the Private Acts of 1999.

SENATE BILLS ON SECOND CONSIDERATION

The Speaker announced that the following bills passed second consideration and were referred to the appropriate committee:

Senate Bill No. 1721 referred to Committee on Commerce, Labor and Agriculture.

Senate Bill No. 1722 referred to Committee on Judiciary.

Senate Bill No. 1723 held on desk.

Senate Bill No. 1724 referred to Committee on Judiciary.

Senate Bill No. 1725 referred to Committee on Judiciary.

Senate Bill No. 1726 referred to Committee on Finance, Ways and Means.

Senate Bill No. 1727 referred to Committee on State and Local Government.

Senate Bill No. 1728 referred to Committee on State and Local Government.

Senate Bill No. 1729 referred to Committee on Finance, Ways and Means.

Senate Bill No. 1730 referred to Committee on Finance, Ways and Means.

Senate Bill No. 1731 referred to Committee on State and Local Government.

Senate Bill No. 1732 referred to Committee on Education.

Senate Bill No. 1733 referred to Committee on Education.

INTRODUCTION OF RESOLUTIONS

The Speaker announced the following resolutions were filed for introduction. Pursuant to Rule 21, the resolutions lie over.

Senate Joint Resolution No. 111 by Senator Cohen.
Memorials, Professional Achievement -- Rabbi Lawrence Zierler.

Senate Joint Resolution No. 112 by Senator McNally.
Memorials, Personal Achievement -- Jack Cooper.

Senate Joint Resolution No. 113 by Senator McNally.
Memorials, Personal Achievement -- Scott Moloney, Oak Ridge citywide spelling bee champion.

Senate Joint Resolution No. 114 by Senator McLeary.
Memorials, Public Service -- Humboldt General Hospital.

Senate Joint Resolution No. 115 by Senator Jackson.
Memorials, Congratulations -- Dickson's Roxy Movie Theater.

Senate Joint Resolution No. 116 by Senators Williams and Trail.
Memorials, Professional Achievement -- Sam Hamilton.

Senate Joint Resolution No. 117 by Senator Henry.
Memorials, Recognition -- Republic of China.

Senate Joint Resolution No. 118 by Senator Norris.
Naming and Designating -- "West Tennessee Polled Hereford Association Day", March 15, 2003.

Senate Joint Resolution No. 119 by Senator Miller.
Memorials, Professional Achievement -- Lee Stewart.

Senate Joint Resolution No. 120 by Senator Miller.
Memorials, Professional Achievement -- W. Allan Jones, Jr., M.C. Headrick Free Enterprise Award.

Senate Joint Resolution No. 121 by Senators Burchett, Cohen, Ford, Henry, Dixon, Clabough, Crutchfield, Atchley, McNally, McLeary, Graves, Burks, Bryson, Person, Norris, Williams and Ramsey.
Naming and Designating -- Designates songwriting as one of Tennessee's official art forms.

Senate Resolution No. 12 by Senator Beavers.
Memorials, Heroism -- Stephanie Louise Seiter Blansett.

Senate Resolution No. 13 by Senator Norris.
Memorials, Government Officials -- Urges TennCare and Department of Education to submit Medicaid Administrative Claim Program Implementation Plan to Center for Medicare and Medicaid Services.

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Senate Resolution No. 14 by Senator Dixon.

Memorials, Public Service -- Mike Moore, Mississippi Attorney General.

RESOLUTIONS LYING OVER

House Joint Resolution No. 77 -- Memorials, Personal Occasion -- Ethel Ormon, 100th birthday.

The Speaker announced that he had referred House Joint Resolution No. 77 to Committee on Calendar.

House Joint Resolution No. 78 -- Memorials, Sports -- Harpeth High School Band.

The Speaker announced that he had referred House Joint Resolution No. 78 to Committee on Calendar.

House Joint Resolution No. 79 -- Memorials, Congratulations -- Courtney Campbell, 2003 Distinguished Finalist, Prudential Spirit of Community Award.

The Speaker announced that he had referred House Joint Resolution No. 79 to Committee on Calendar.

House Joint Resolution No. 80 -- Memorials, Retirement -- James O. Baker.

The Speaker announced that he had referred House Joint Resolution No. 80 to Committee on Calendar.

House Joint Resolution No. 84 -- Memorials, Personal Achievement -- Daniel Gray, American FFA Degree.

The Speaker announced that he had referred House Joint Resolution No. 84 to Committee on Calendar.

House Joint Resolution No. 85 -- Memorials, Death -- Diane Morris.

The Speaker announced that he had referred House Joint Resolution No. 85 to Committee on Calendar.

House Joint Resolution No. 86 -- Memorials, Death -- Richard Williams, Jr.

The Speaker announced that he had referred House Joint Resolution No. 86 to Committee on Calendar.

Senate Joint Resolution No. 103 -- Memorials, Public Service -- Courtney Campbell, 2003 Distinguished Finalist, Prudential Spirit of Community Awards.

The Speaker announced that he had referred Senate Joint Resolution No. 103 to Committee on Calendar.

Senate Joint Resolution No. 104 -- Naming and Designating -- May 2003, "Motorcycle Awareness Month".

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The Speaker announced that he had referred Senate Joint Resolution No. 104 to Committee on Transportation.

Senate Joint Resolution No. 105 -- Memorials, Public Service -- Senator Bobby Carter.

The Speaker announced that he had referred Senate Joint Resolution No. 105 to Committee on Calendar.

Senate Joint Resolution No. 106 -- Memorials, Death -- John R. Lunn, Sr.

The Speaker announced that he had referred Senate Joint Resolution No. 106 to Committee on Calendar.

Senate Joint Resolution No. 109 -- Memorials, Public Service -- Oak Ridge National Laboratory.

The Speaker announced that he had referred Senate Joint Resolution No. 109 to Committee on Calendar.

Senate Joint Resolution No. 110 -- Memorials, Congratulations -- Cassandra Cardoza, 2003 Distinguished Finalist, Prudential Spirit of Community Award.

The Speaker announced that he had referred Senate Joint Resolution No. 110 to Committee on Calendar.

CAPTION BILL REFERRALS

Pursuant to Rule 28, the following bills were recalled from the Clerk's desk and referred to committee:

Senate Bill No. 111 referred to Committee on General Welfare, Health and Human Resources, with amendment.

Senate Bill No. 112 referred to Committee on General Welfare, Health and Human Resources, with amendment.

Senate Bill No. 571 referred to Committee on Transportation, without amendment.

Senate Bill No. 575 referred to Committee on Transportation, without amendment.

Senate Bill No. 583 referred to Committee on Transportation, without amendment.

Senate Bill No. 589 referred to Committee on Transportation, without amendment.

Senate Bill No. 590 referred to Committee on Transportation, without amendment.

Senate Bill No. 591 referred to Committee on Transportation, without amendment.

Senate Bill No. 593 referred to Committee on Transportation, without amendment.

Senate Bill No. 594 referred to Committee on Transportation, without amendment.

MOTION

Senator Crowe moved that **Senate Resolutions Nos. 4 and 5** be rereferred to the Committee on Calendar, which motion prevailed.

CONSENT CALENDAR

House Joint Resolution No. 52 -- Memorials, Retirement -- Ed Johnson.

House Joint Resolution No. 53 -- Memorials, Death -- Dottie Yeldell.

House Joint Resolution No. 54 -- Memorials, Professional Achievement -- Rev. Phillip Bell, J.A. McDaniel Award.

House Joint Resolution No. 55 -- Memorials, Professional Achievement -- Jennifer Truan, PBPA Businessperson of the Year.

House Joint Resolution No. 56 -- Memorials, Professional Achievement -- Rusty Reed, 2003 Powell Business & Professional Association Man of the Year.

House Joint Resolution No. 57 -- Memorials, Professional Achievement -- Margaret Massey-Cox, Powell Business and Professional Association Woman of the Year.

House Joint Resolution No. 60 -- Memorials, Death -- David Massey.

House Joint Resolution No. 65 -- Memorials, Death -- Grace Riden.

House Joint Resolution No. 67 -- Memorials, Public Service -- Captain James W. Cunningham.

House Joint Resolution No. 68 -- Memorials, Public Service -- Dee Reid.

House Joint Resolution No. 69 -- Memorials, Death -- Michael C. White.

House Joint Resolution No. 70 -- Memorials, Personal Occasion -- Mr. and Mrs. Kenneth Broyles, 50th wedding anniversary.

House Joint Resolution No. 71 -- Memorials, Professional Achievement -- Harvey Burniston, Jr.

House Joint Resolution No. 72 -- Memorials, Personal Achievement -- Melissa Burniston, FFA National Champion in Diversified Horticulture Proficiency.

House Joint Resolution No. 73 -- Memorials, Death -- Stephen Phelps.

House Joint Resolution No. 76 -- Memorials, Personal Achievement -- Jonathan Lewis Moss, Eagle Scout.

Senate Joint Resolution No. 23 -- Naming and Designating -- May 24, Tennessee Aviation Maintenance Technicians Day.

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Senate Joint Resolution No. 85 -- Memorials, Retirement -- Vernon Osborne.

Senate Joint Resolution No. 86 -- Memorials, Congratulations -- Wilson County Fair.

Senate Joint Resolution No. 87 -- Memorials, Personal Achievement -- Nikki White, Wilson County Fairest of the Fair.

Senate Joint Resolution No. 89 -- Memorials, Professional Achievement -- Charles C. Haynes.

Senate Joint Resolution No. 90 -- Memorials, Recognition -- Sasha Kay Dunavant.

Senate Joint Resolution No. 91 -- Memorials, Retirement -- Randy Barnes.

Senate Joint Resolution No. 92 -- Memorials, Recognition -- Tennessee Gospel Quartet Convention, guests.

Senate Joint Resolution No. 93 -- Memorials, Recognition -- Michael R. Dickson.

Senate Joint Resolution No. 94 -- Memorials, Recognition -- Tennessee Quartet Convention, volunteers.

Senate Joint Resolution No. 95 -- Memorials, Sports -- Ridgeway High School Football.

Senate Joint Resolution No. 96 -- Memorials, Public Service -- Willie Green, Citizen of the Year.

Senate Joint Resolution No. 97 -- Memorials, Death -- Letha Ottinger Kilgore.

Senate Joint Resolution No. 98 -- Memorials, Death -- Sherry Wolfe.

Senate Joint Resolution No. 99 -- Memorials, Congratulations -- Watauga Masonic Lodge, 100th anniversary.

Senate Joint Resolution No. 100 -- Memorials, Recognition -- Tennessee Gospel Quartet Convention, deceased gospel singers and pioneering quartets.

Senate Joint Resolution No. 102 -- Memorials, Congratulations -- Emmie Granbery, 2003 Prudential Spirit of Community Award winner.

Senate Resolution No. 11 -- Memorials, Death -- Carson Brewer.

Senator Crowe moved that all Senate Resolutions and Senate Joint Resolutions be adopted; and all House Joint Resolutions be concurred in, which motion prevailed by the following vote:

Ayes 30
Noes 0

Senators voting aye were: Beavers, Bryson, Burchett, Burks, Clabough, Cohen, Cooper, Crowe, Crutchfield, Dixon, Ford, Fowler, Graves, Harper, Haynes, Henry, Herron, Ketron, Kurita,

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Kyle, McLeary, McNally, Miller, Norris, Person, Ramsey, Southerland, Trail, Walker and Williams--30.

A motion to reconsider was tabled.

CALENDAR

Senate Bill No. 15 -- Codes -- Allows LEA vocational-technical students to construct on campus and sell one modular building each year, under certain conditions, without complying with Modular Building Act. Amends TCA Title 68, Chapter 126, Part 3.

Senate Bill No. 15 passed its third and final consideration by the following vote:

Ayes	30
Noes	0

Senators voting aye were: Beavers, Bryson, Burchett, Burks, Clabough, Cohen, Cooper, Crowe, Crutchfield, Dixon, Ford, Fowler, Graves, Harper, Haynes, Henry, Herron, Ketron, Kurita, Kyle, McLeary, McNally, Miller, Norris, Person, Ramsey, Southerland, Trail, Walker and Williams--30.

A motion to reconsider was tabled.

Senate Bill No. 36 -- Judges and Chancellors -- Clarifies that general sessions judges may administer oath of office for any elected or appointed official. Amends TCA Title 8, Chapter 18.

Senate Bill No. 36 passed its third and final consideration by the following vote:

Ayes	30
Noes	0

Senators voting aye were: Beavers, Bryson, Burchett, Burks, Clabough, Cohen, Cooper, Crowe, Crutchfield, Dixon, Ford, Fowler, Graves, Harper, Haynes, Henry, Herron, Ketron, Kurita, Kyle, McLeary, McNally, Miller, Norris, Person, Ramsey, Southerland, Trail, Walker and Williams--30.

A motion to reconsider was tabled.

Senate Bill No. 39 -- Consumer Protection -- Transfers authority to regulate unsolicited facsimiles from Department of Commerce and Insurance to Tennessee regulatory authority. Amends TCA Title 47, Chapter 18, Part 16; Title 47, Chapter 18, Part 25 and Title 65, Chapter 4.

Senate Bill No. 39 passed its third and final consideration by the following vote:

Ayes	28
Noes	0
Present, not voting . . .	1

Senators voting aye were: Beavers, Bryson, Burchett, Burks, Clabough, Cohen, Crowe, Crutchfield, Dixon, Ford, Fowler, Graves, Harper, Haynes, Henry, Herron, Ketron, Kurita, McLeary, McNally, Miller, Norris, Person, Ramsey, Southerland, Trail, Walker and Williams--28.

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Senator present and not voting was: Cooper--1.

A motion to reconsider was tabled.

Senate Bill No. 87 -- Motor Vehicles, Titling and Registration -- Deletes requirement that certificates of registration be signed. Amends TCA Section 55-4-108.

Senate Bill No. 87 passed its third and final consideration by the following vote:

Ayes	30
Noes	0

Senators voting aye were: Beavers, Bryson, Burchett, Burks, Clabough, Cohen, Cooper, Crowe, Crutchfield, Dixon, Ford, Fowler, Graves, Harper, Haynes, Henry, Herron, Ketron, Kurita, Kyle, McLeary, McNally, Miller, Norris, Person, Ramsey, Southerland, Trail, Walker and Williams--30.

A motion to reconsider was tabled.

Senator Henry moved that **Senate Bill No. 134** be placed on the calendar for Monday, March 3, 2003, which motion prevailed.

Senator Dixon moved that **Senate Bill No. 154** be placed on the calendar for Monday, March 10, 2003, which motion prevailed.

Senate Bill No. 169 -- Motor Vehicles -- Requires van accessible only parking spaces to be so designated prior to citing otherwise eligible driver from parking in such space. Amends TCA Title 55, Chapter 21, Part 1.

Senator Fowler moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting from the directory language of Section 1 the word and figures "Section 55-21-1" and by substituting instead the word and figures "Section 55-21-105".

AND FURTHER AMEND by deleting the effective date section and by substituting instead the following:

SECTION ____ . This act shall take effect July 1, 2003, the public welfare requiring it.

On motion, Amendment No. 1 was adopted by the following vote:

Ayes	31
Noes	0

Senators voting aye were: Beavers, Bryson, Burchett, Burks, Clabough, Cohen, Cooper, Crowe, Crutchfield, Dixon, Ford, Fowler, Graves, Harper, Haynes, Henry, Herron, Ketron, Kurita, Kyle, McLeary, McNally, Miller, Norris, Person, Ramsey, Southerland, Trail, Walker, Williams and Mr. Speaker Wilder--31.

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Thereupon, **Senate Bill No. 169**, as amended, passed its third and final consideration by the following vote:

Ayes 31
Noes 0

Senators voting aye were: Beavers, Bryson, Burchett, Burks, Clabough, Cohen, Cooper, Crowe, Crutchfield, Dixon, Ford, Fowler, Graves, Harper, Haynes, Henry, Herron, Ketron, Kurita, Kyle, McLeary, McNally, Miller, Norris, Person, Ramsey, Southerland, Trail, Walker, Williams and Mr. Speaker Wilder--31.

A motion to reconsider was tabled.

Senator Crowe moved that **Senate Bill No. 187** be placed on the calendar for Wednesday, March 5, 2003, which motion prevailed.

SENATE MESSAGE CALENDAR

SENATE JOINT RESOLUTION ON HOUSE AMENDMENT

Senate Joint Resolution No. 79 -- Memorials, Congratulations -- Bowater, Inc., Sustainable Forestry Initiative certification.

HOUSE AMENDMENT NO. 1

AMEND by deleting the second clause of the preamble of the introduced resolution and substituting instead the following language:

WHEREAS, the American Forest and Paper Association and the Sustainable Forestry Board administer an internationally recognized process for officially recognizing and certifying management programs that incorporate policies and practices for achieving long-term forest resource on private and public forest lands; this program is known as the Sustainable Forestry Initiative (SFI); and

Senator Miller moved that the Senate concur in House Amendment No. 1 to **Senate Joint Resolution No. 79**, which motion prevailed by the following vote:

Ayes 31
Noes 0

Senators voting aye were: Beavers, Bryson, Burchett, Burks, Clabough, Cohen, Cooper, Crowe, Crutchfield, Dixon, Ford, Fowler, Graves, Harper, Haynes, Henry, Herron, Ketron, Kurita, Kyle, McLeary, McNally, Miller, Norris, Person, Ramsey, Southerland, Trail, Walker, Williams and Mr. Speaker Wilder--31.

A motion to reconsider was tabled.

RECALL OF BILL

On motion of Senator McNally, **Senate Bill No. 1674** was recalled from the Committee on Education.

WITHDRAWAL OF BILL

On motion of Senator McNally, Senate Bill No. 1674 was withdrawn from the Senate.

MOTION

Senator Trail moved that the rules be suspended for the immediate consideration of **House Joint Resolution No. 80**, out of order, which motion prevailed.

RESOLUTION LYING OVER

House Joint Resolution No. 80 -- Memorials, Retirement -- James O. Baker.

On motion of Senator Trail, the rules were suspended for the immediate consideration of the resolution.

On motion, **House Joint Resolution No. 80** was concurred in by the following vote:

Ayes	31
Noes	0

Senators voting aye were: Beavers, Bryson, Burchett, Burks, Clabough, Cohen, Cooper, Crowe, Crutchfield, Dixon, Ford, Fowler, Graves, Harper, Haynes, Henry, Herron, Ketron, Kurita, Kyle, McLeary, McNally, Miller, Norris, Person, Ramsey, Southerland, Trail, Walker, Williams and Mr. Speaker Wilder--31.

A motion to reconsider was tabled.

Senator Burks moved that the rules be suspended for the purpose of allowing the Committee on State and Local Government to meet immediately after session on Wednesday, February 26, 2003, and hear Senate Bill No. 1736 if it passes its second consideration, which motion prevailed by the following vote:

Ayes	29
Noes	0

Senators voting aye were: Beavers, Bryson, Burchett, Burks, Clabough, Cohen, Cooper, Crowe, Crutchfield, Dixon, Ford, Fowler, Graves, Harper, Henry, Herron, Ketron, Kurita, Kyle, McLeary, McNally, Miller, Norris, Person, Southerland, Trail, Walker, Williams and Mr. Speaker Wilder--29.

MOTION

On motion of Mr. Speaker Wilder, **Senate Bill No. 667 667** was recalled from the Committee on State and Local Government and held on the Clerk's desk.

MOTION

On motion of Mr. Speaker Wilder, **Senate Bill No. 810** was recalled from the Committee on Environment, Conservation and Tourism and referred to the Committee on Commerce, Labor and Agriculture.

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RECALL OF BILL

On motion of Senator Cooper, **Senate Bill No. 428 428** was recalled from the Committee on State and Local Government.

WITHDRAWAL OF BILL

On motion of Senator Cooper, Senate Bill No. 428 was withdrawn from the Senate.

RECALL OF BILL

On motion of Senator Cooper, **Senate Bill No. 811** was recalled from the Committee on Commerce, Labor and Agriculture.

WITHDRAWAL OF BILL

On motion of Senator Cooper, Senate Bill No. 811 was withdrawn from the Senate.

RECALL OF BILL

On motion of Senator Cooper, **Senate Bill No. 424** was recalled from the Committee on Environment, Conservation and Tourism.

WITHDRAWAL OF BILL

On motion of Senator Cooper, Senate Bill No. 424 was withdrawn from the Senate.

RECALL OF BILL

On motion of Senator Cooper, **Senate Bill No. 425** was recalled from the Committee on Commerce, Labor and Agriculture.

WITHDRAWAL OF BILL

On motion of Senator Cooper, Senate Bill No. 425 was withdrawn from the Senate.

RECALL OF BILL

On motion of Senator Cooper, **Senate Bill No. 426** was recalled from the Committee on Commerce, Labor and Agriculture.

WITHDRAWAL OF BILL

On motion of Senator Cooper, Senate Bill No. 426 was withdrawn from the Senate.

RECALL OF BILL

On motion of Senator Cooper, **Senate Bill No. 1748** was recalled from the Clerk's desk.

WITHDRAWAL OF BILL

On motion of Senator Cooper, Senate Bill No. 1748 was withdrawn from the Senate.

RECALL OF BILL

On motion of Senator Graves, **Senate Bill No. 833** was recalled from the Committee on Education.

WITHDRAWAL OF BILL

On motion of Senator Graves, Senate Bill No. 833 was withdrawn from the Senate.

RECALL OF BILL

On motion of Senator Graves, **Senate Bill No. 121** was recalled from the Committee on Finance, Ways and Means.

WITHDRAWAL OF BILL

On motion of Senator Graves, Senate Bill No. 121 was withdrawn from the Senate.

RECALL OF BILL

On motion of Senator Ford, **Senate Bill No. 815** was recalled from the Committee on State and Local Government.

WITHDRAWAL OF BILL

On motion of Senator Ford, Senate Bill No. 815 was withdrawn from the Senate.

MOTION

On motion of Senator Cooper, his name was added as sponsor of **House Joint Resolution No. 52**.

On motion of Senator Bryson, his name was added as sponsor of **Senate Bill No. 411**.

On motion of Senator Miller, his name was added as sponsor of **Senate Bills Nos. 34, 37, 40, 42, 51, 116, 128, 177 and 179**.

On motion of Senator Harper, her name was added as sponsor of **Senate Joint Resolution No. 89**.

On motion of Senators Williams, McNally, Burchett and Atchley, their names were added as sponsors of **House Joint Resolutions Nos. 55, 56, 57 and 69**.

On motion of Senators Ramsey and Crowe, their names were added as sponsors of **House Joint Resolutions Nos. 71, 72 and 73; and Senate Joint Resolution No. 98**.

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On motion of Senators Cohen, Dixon, Ford, Kyle and Norris, their names were added as sponsors of **Senate Joint Resolution No. 95**.

On motion of Senators Trail, Ketron, Beavers and Bryson, their names were added as sponsors of **House Joint Resolution No. 80**.

On motion of Senator Cohen, his name was added as sponsor of **Senate Bill No. 134; and Senate Joint Resolution No. 98**.

On motion of Senator Dixon, his name was added as sponsor of **House Joint Resolution No. 53**.

On motion of Senator Beavers, her name was added as sponsor of **House Joint Resolution No. 60**.

On motion of Senators Crutchfield, Harper and Dixon, their names were added as sponsors of **House Joint Resolution No. 67**.

On motion of Senators Graves and Herron, their names were added as sponsors of **House Joint Resolution No. 68**.

ENGROSSED BILLS

February 24, 2003

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined Senate Bills Nos. 15, 36, 39, 87 and 169; and find same correctly engrossed and ready for transmission to the House.

PATRICK W. MERKEL,
Chief Engrossing Clerk.

ENGROSSED BILLS

February 24, 2003

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined Senate Joint Resolutions Nos. 23, 85, 86, 87, 89, 90, 91, 95, 96, 97, 98, 99 and 102; and find same correctly engrossed and ready for transmission to the House.

PATRICK W. MERKEL,
Chief Engrossing Clerk.

ENGROSSED BILLS

February 24, 2003

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined Senate Joint Resolutions Nos. 92, 93, 94 and 100; and find same correctly engrossed and ready for transmission to the House.

PATRICK W. MERKEL,
Chief Engrossing Clerk.

MESSAGE FROM THE HOUSE

February 24, 2003

MR. SPEAKER: I am directed to return to the Senate, Senate Joint Resolutions Nos. 92, 93, 94, 100 and 107; concurred in by the House.

BURNEY T. DURHAM,
Chief Clerk.

MESSAGE FROM THE HOUSE

February 24, 2003

MR. SPEAKER: I am directed to transmit to the Senate, House Joint Resolution No. 80, for the signature of the Speaker.

BURNEY T. DURHAM,
Chief Clerk.

ENROLLED BILLS

February 25, 2003

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared Senate Joint Resolutions Nos. 79, 92, 93, 94, 100 and 107; and find same correctly enrolled and ready for the signatures of the Speakers.

PATRICK W. MERKEL,
Chief Engrossing Clerk.

ENROLLED BILLS

February 25, 2003

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared Senate Resolution No. 11, and find same correctly enrolled and ready for the signature of the Speaker.

PATRICK W. MERKEL,
Chief Engrossing Clerk.

SIGNED

February 24, 2003

The Speaker announced that he had signed the following: House Joint Resolution No. 80.

SIGNED

February 25, 2003

The Speaker announced that he had signed the following: Senate Resolution No. 11; and Senate Joint Resolutions Nos. 79, 92, 93, 94, 100 and 107.

MESSAGE FROM THE HOUSE

February 25, 2003

MR. SPEAKER: I am directed to return to the Senate, Senate Joint Resolutions Nos. 79, 92, 93, 94, 100 and 107; signed by the Speaker.

BURNEY T. DURHAM,
Chief Clerk.

REPORT OF CHIEF ENGROSSING CLERK

February 25, 2003

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: Senate Joint Resolutions Nos. 79, 92, 93, 94, 100 and 107; for his action.

PATRICK W. MERKEL,
Chief Engrossing Clerk.

MESSAGE FROM THE GOVERNOR

February 24, 2003

MR. SPEAKER: I am directed by the Governor to return herewith: Senate Bill No. 24; and Senate Joint Resolution No. 57; with his approval.

ROBERT E. COOPER, JR.,
Counsel to the Governor.

**REPORT OF COMMITTEE ON CALENDAR
CONSENT CALENDAR**

MR. SPEAKER: Your Committee on Calendar begs leave to report that we have met and set the following bills on the calendar for Wednesday, February 26, 2003: House Joint Resolutions Nos. 78, 79, 83, 84, 85 and 86; Senate Joint Resolutions Nos. 103, 105, 106, 109 and 110; and House Joint Resolution No. 77.

This the 24th day of February, 2003.
CROWE, Chairperson.

ADJOURNMENT

Senator Crutchfield moved the Senate adjourn until 2:30 p.m., Wednesday, February 26, 2003, which motion prevailed.